

comprises only 1 percent of the ocean, but produces 20 percent of the world's fish. This in turn supports 36 species of marine mammals, including whales, elephant seals, sea lions and other seals.

But it is not only marine mammals who feast on the abundance of fish. The waters off the Sonoma and Mendocino County coasts support fleets of fishermen. That is why I worked so closely with the Pacific Coast Federation of Fishing Associations, the PCFFA, in carefully crafting this bill.

Fishermen have had a good relationship with the Gulf of the Farallones and the Cordell Bank National Marine Sanctuary for over 20 years because they respect that good stewardship of our oceans produces better catches. H.R. 1187 will serve to strengthen this partnership for years and years to come.

Madam Speaker, H.R. 1187 is a well thought out, carefully crafted bill that brings together diverse stakeholders, including the National Oceanic and Atmospheric Administration, NOAA, the fishing industry, State and local governments, conservation groups and marine scientists, all who agree that these proposed sanctuary areas are national treasures that absolutely deserve protection.

As a mother and a grandmother, I want to see these treasures protected for years to come so that my kids, so that my grandkids, and so that their children and your children and your grandchildren will be able to enjoy the same unspoiled coasts and clean waters that we enjoy today.

Madam Speaker, I would like to thank Chairman RAHALL, Ranking Member YOUNG and Chairwoman BORDALLO for bringing my bill to the floor today. I would like to thank Chairman KENNEDY and Ranking Member BISHOP, all who have been part of reviewing and bringing H.R. 1187 to the floor. I thank you all, and I urge my colleagues to support it.

Mr. BISHOP of Utah. Madam Speaker, it is certainly hopeful that with the passage of this bill we will have faith in NOAA to administer this territory, since we obviously with passage of this bill don't trust them to evaluate or make recommendations.

Madam Speaker, I yield back the balance of my time.

Mr. KENNEDY. Madam Speaker, we don't have any more speakers, but before closing I want to note that the chairwoman of the Subcommittee on Fisheries, Wildlife and Oceans, Chairwoman MADELEINE BORDALLO, is presently en route from Guam and wouldn't be able to be here for this, but she does support passage of this bill. I just wanted to make note of that.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. KENNEDY) that the House suspend the rules and pass the bill, H.R. 1187, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, and for other purposes."

A motion to reconsider was laid on the table.

NATIONAL INTEGRATED COASTAL AND OCEAN OBSERVATION ACT OF 2008

Mr. KENNEDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2342) to direct the President to establish a National Integrated Coastal and Ocean Observation System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2342

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ENHANCING CLIMATE CHANGE PREDICTIONS.

(a) *SHORT TITLE.*—This section may be cited as the "National Integrated Coastal and Ocean Observation Act of 2008".

(b) *PURPOSES.*—The purposes of this section are the following:

(1) Establish a National Integrated Coastal and Ocean Observation System comprised of Federal and non-Federal components, coordinated at the national level by the National Ocean Research Leadership Council and at the regional level by a network of Regional Information Coordination Entities, that includes *in situ*, remote, and other coastal and ocean observations, technologies, and data management and communication systems, to gather specific coastal and ocean data variables and to ensure the timely dissemination and availability of usable observation data—

(A) to support national defense, marine commerce, energy production, scientific research, ecosystem-based marine and coastal resource management, weather and marine forecasting, public safety and public outreach training and education; and

(B) to promote greater public awareness and stewardship of the Nation's ocean, coastal, and Great Lakes resources and the general public welfare.

(2) Improve the Nation's capability to measure, track, explain, and predict events related directly and indirectly to weather and climate change, natural climate variability, and interactions between the oceanic and atmospheric environments, including the Great Lakes.

(3) Authorize activities to promote basic and applied research to develop, test, and deploy innovations and improvements in coastal and ocean observation technologies, modeling systems, and other scientific and technological capabilities to improve our conceptual understanding of weather and climate, ocean atmosphere dynamics, global climate change, and physical, chemical, and biological dynamics of the ocean and coastal and Great Lakes environments.

(c) *DEFINITIONS.*—In this section:

(1) *COUNCIL.*—The term "Council" means the National Ocean Research Leadership Council referred to in section 7902 of title 10, United States Code.

(2) *ADMINISTRATOR.*—The term "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration.

(3) *FEDERAL ASSETS.*—The term "Federal assets" means all relevant nonclassified civilian coastal and ocean observations, technologies, and related modeling, research, data management, basic and applied technology research and development, and public education and outreach programs, that are managed by member agencies of the Council.

(4) *INTERAGENCY WORKING GROUP.*—The term "Interagency Working Group" means the Interagency Working Group on Ocean Observations as established by the U.S. Ocean Policy Committee Subcommittee on Ocean Science and Technology pursuant to Executive Order 13366 signed December 17, 2004.

(5) *NON-FEDERAL ASSETS.*—The term "non-Federal assets" means all relevant coastal and ocean observations, technologies, related basic and applied technology research and development, and public education and outreach programs that are integrated into the System and are managed through States, regional organizations, universities, nongovernmental organizations, or the private sector.

(6) *REGIONAL INFORMATION COORDINATION ENTITIES.*—

(A) *IN GENERAL.*—The term "Regional Information Coordination Entity", subject to subparagraphs (B) and (C), means an organizational body that is certified or established by the lead Federal agency designated in subsection (d)(3)(C)(iii) and coordinating State, Federal, local, and private interests at a regional level with the responsibility of engaging the private and public sectors in designing, operating, and improving regional coastal and ocean observing systems in order to ensure the provision of data and information that meet the needs of user groups from the respective regions.

(B) *INCLUDED ASSOCIATIONS.*—Such term includes Regional Associations as described by the System Plan.

(C) *LIMITATION.*—Nothing in this section shall be construed to invalidate existing certifications, contracts, or agreements between Regional Associations and other elements of the System.

(7) *SYSTEM.*—The term "System" means the National Integrated Coastal and Ocean Observation System established under subsection (d).

(8) *SYSTEM PLAN.*—The term "System Plan" means the plan contained in the document entitled "Ocean.US Publication No. 9, The First Integrated Ocean Observing System (IOOS) Development Plan".

(d) *NATIONAL INTEGRATED COASTAL AND OCEAN OBSERVING SYSTEM.*—

(1) *ESTABLISHMENT.*—The President, acting through the Council, shall establish a National Integrated Coastal and Ocean Observation System to fulfill the purposes set forth in subsection (b) and the System plan and to fulfill the Nation's international obligations to contribute to the global earth observation system of systems and the global ocean observing system.

(2) *SUPPORT OF PURPOSES.*—The head of each agency that is a member of the Interagency Working Group shall support the purposes of this section.

(3) *AVAILABILITY OF DATA.*—The head of each Federal agency that has administrative jurisdiction over a Federal asset shall make available data that are produced by that asset and that are not otherwise restricted for integration, management, and dissemination by the System.

(4) *ENHANCING ADMINISTRATION AND MANAGEMENT.*—The head of each Federal agency that has administrative jurisdiction over a Federal asset may take appropriate actions to enhance internal agency administration and management to better support, integrate, finance, and utilize observation data, products, and services developed under this section to further its own agency mission and responsibilities.

(5) *PARTICIPATION IN REGIONAL INFORMATION COORDINATION ENTITY.*—The head of each Federal agency that has administrative jurisdiction over a Federal asset may participate in regional information coordination entity activities.

(6) **NON-FEDERAL ASSETS.**—Non-Federal assets shall be coordinated by the Interagency Working Group or by Regional Information Coordination Entities.

(e) **POLICY OVERSIGHT, ADMINISTRATION, AND REGIONAL COORDINATION.**—

(1) **NATIONAL OCEAN RESEARCH LEADERSHIP COUNCIL.**—The National Ocean Research Leadership Council shall be responsible for establishing broad coordination and long-term operations plans, policies, protocols, and standards for the System consistent with the policies, goals, and objectives contained in the System Plan, and coordination of the System with other earth observing activities.

(2) **INTERAGENCY WORKING GROUP.**—The Interagency Working Group shall, with respect to the System, be responsible for—

(A) implementation of operations plans and policies developed by the Council;

(B) development of and transmittal to Congress at the time of submission of the President's annual budget request an annual coordinated, comprehensive System budget;

(C) identification of gaps in observation coverage or needs for capital improvements of both Federal assets and non-Federal assets;

(D) establishment of data management and communication protocols and standards;

(E) establishment of required observation data variables;

(F) development of certification standards for all non-Federal assets or Regional Information Coordination Entities to be eligible for integration into the System;

(G) subject to the availability of appropriations, establish through one or more participating Federal agencies, in consultation with the System Advisory Committee established under paragraph (5), a competitive matching grant or other program to promote research and development of innovative observation technologies including testing and field trials; and

(H) periodically review and recommend to the Council revisions to the System Plan.

(3) **LEAD FEDERAL AGENCY.**—The Administrator shall function as the lead Federal agency for the System. The Administrator may establish an Interagency Program Coordinating Office to facilitate the Administrator's responsibilities as the lead Federal agency for System oversight and management. The Administrator shall—

(A) implement policies, protocols, and standards established by the Council and delegated by the Interagency Working Group;

(B) promulgate regulations to integrate the participation of non-Federal assets into the System and enter into and oversee contracts and agreements with Regional Information Coordination Entities to effect this purpose;

(C) implement a competitive funding process for the purpose of assigning contracts and agreements to Regional Information Coordination Entities;

(D) certify or establish Regional Information Coordination Entities to coordinate State, Federal, local, and private interests at a regional level with the responsibility of engaging private and public sectors in designing, operating, and improving regional coastal and ocean observing systems in order to ensure the provision of data and information that meet the needs of user groups from the respective regions;

(E) formulate a process by which gaps in observation coverage or needs for capital improvements of Federal assets and non-Federal assets of the System can be identified by the Regional Information Coordination Entities, the Administrator, or other members of the System and transmitted to the Interagency Working Group;

(F) be responsible for the coordination, storage, management, and dissemination of observation data gathered through the System to all end-user communities;

(G) implement a program of public education and outreach to improve public awareness of global climate change and effects on the ocean, coastal, and Great Lakes environment; and

(H) report annually to the Council through the Interagency Working Group on the accomplishments, operational needs, and performance of the System to achieve the purposes of this title and the System Plan.

(4) **REGIONAL INFORMATION COORDINATION ENTITY.**—To be certified or established under paragraph (3)(D), a Regional Information Coordination Entity must be certified or established by contract or agreement by the Administrator, and must agree to—

(A) gather required System observation data and other requirements specified under this section and the System plan;

(B) identify gaps in observation coverage or needs for capital improvements of Federal assets and non-Federal assets of the System, and transmit such information to the Interagency Working Group via the Administrator;

(C) demonstrate an organizational structure and strategic operational plan to ensure the efficient and effective administration of programs and assets to support daily data observations for integration into the System;

(D) comply with all financial oversight requirements established by the Administrator, including requirements relating to audits; and

(E) demonstrate a capability to work with other governmental and nongovernmental entities at all levels to identify and provide information products of the System for multiple users within the service area of the Regional Information Coordination Entities and otherwise.

(5) **SYSTEM ADVISORY COMMITTEE.**—

(A) **IN GENERAL.**—The Administrator shall establish a System Advisory Committee, which shall provide advice as may be requested by the Administrator or the Interagency Working Group.

(B) **PURPOSE.**—The purpose of the System Advisory Committee is to advise the Administrator and the Interagency Working Group on—

(i) administration, operation, management, and maintenance of the System, including integration of Federal and non-Federal assets and data management and communication aspects of the System, and fulfillment of the purposes specified under subsection (b);

(ii) expansion and periodic modernization and upgrade of technology components of the System;

(iii) identification of end-user communities, their needs for information provided by the System, and the System's effectiveness in disseminating information to end-user communities and the general public; and

(iv) any other purpose identified by the Administrator or the Interagency Working Group.

(C) **MEMBERS.**—

(i) **IN GENERAL.**—The System Advisory Committee shall be composed of members appointed by the Administrator. Members shall be qualified by education, training, and experience to evaluate scientific and technical information related to the design, operation, maintenance, or use of the System, or use of data products provided through the System.

(ii) **TERMS OF SERVICE.**—Members shall be appointed for 3-year terms, renewable once. A vacancy appointment shall be for the remainder of the unexpired term of the vacancy, and an individual so appointed may subsequently be appointed for 2 full 3-year terms if the remainder of the unexpired term is less than one year.

(iii) **CHAIRPERSON.**—The Administrator shall designate a chairperson from among the members of the System Advisory Committee.

(iv) **APPOINTMENT.**—Members of the System Advisory Committee shall be appointed as special Government employees for purposes of section 202(a) of title 18, United States Code.

(D) **ADMINISTRATIVE PROVISIONS.**—

(i) **REPORTING.**—The System Advisory Committee shall report to the Administrator and the Interagency Working Group, as appropriate.

(ii) **ADMINISTRATIVE SUPPORT.**—The Administrator shall provide administrative support to the System Advisory Committee.

(iii) **MEETINGS.**—The System Advisory Committee shall meet at least once each year, and at other times at the call of the Administrator, the Interagency Working Group, or the chairperson.

(iv) **COMPENSATION AND EXPENSES.**—Members of the System Advisory Committee shall not be compensated for service on that Committee, but may be allowed travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(v) **EXPIRATION.**—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the System Advisory Committee.

(6) **CIVIL LIABILITY.**—For purposes of determining liability arising from the dissemination and use of observation data gathered pursuant to this section, any non-Federal asset or Regional Information Coordination Entity that is certified under paragraph (3)(D) and that is participating in the System shall be considered to be part of the National Oceanic and Atmospheric Administration. Any employee of such a non-Federal asset or Regional Information Coordination Entity, while operating within the scope of his or her employment in carrying out the purposes of this section, with respect to tort liability, is deemed to be an employee of the Federal Government.

(f) **INTERAGENCY FINANCING, GRANTS, CONTRACTS, AND AGREEMENTS.**—

(1) **IN GENERAL.**—The member departments and agencies of the Council, subject to the availability of appropriations, may participate in interagency financing and share, transfer, receive, obligate, and expend funds appropriated to any member agency for the purposes of carrying out any administrative or programmatic project or activity to further the purposes of this section, including support for the Interagency Working Group, the Interagency Coordinating Program Office, a common infrastructure, and integration to expand or otherwise enhance the System.

(2) **JOINT CENTERS AND AGREEMENTS.**—Member Departments and agencies of the Council shall have the authority to create, support, and maintain joint centers, and to enter into and perform such contracts, leases, grants, and cooperative agreements as may be necessary to carry out the purposes of this section and fulfillment of the System Plan.

(g) **APPLICATION WITH OTHER LAWS.**—Nothing in this section supersedes or limits the authority of any agency to carry out its responsibilities and missions under other laws.

(h) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than two years after the date of enactment of this section, the Administrator through the Council shall submit to Congress a report that describes the status of the System and progress made to achieve the purposes of this section and the goals identified under the System Plan.

(2) **CONTENTS.**—The report shall include discussion of the following:

(A) Identification of Federal and non-Federal assets as determined by the Council that have been integrated into the System, including assets essential to the gathering of required observation data variables necessary to meet the respective missions of Council agencies.

(B) A review of procurements, planned or initiated, by each Council agency to enhance, expand, or modernize the observation capabilities and data products provided by the System, including data management and communication subsystems.

(C) An assessment regarding activities to integrate Federal and non-Federal assets, nationally and on the regional level, and discussion of the performance and effectiveness of Regional Information Coordination Entities to coordinate regional observation operations.

(D) An evaluation of progress made by the Council to achieve the purposes of this section and the goals identified under the System Plan.

(E) Recommendations for operational improvements to enhance the efficiency, accuracy, and overall capability of the System.

(3) BIENNIAL UPDATE.—Two years after the transmittal of the initial report prepared pursuant to this subsection and biennially thereafter, the Administrator, through the Council, shall submit to Congress an update of the initial report.

(i) PUBLIC-PRIVATE USE POLICY.—The Council shall develop a policy within 6 months after the date of the enactment of this section that defines processes for making decisions about the roles of the Federal Government, the States, Regional Information Coordination Entities, the academic community, and the private sector in providing to end-user communities environmental information, products, technologies, and services related to the System. The Council shall publish the policy in the Federal Register for public comment for a period not less than 60 days. Nothing in this subsection shall be construed to require changes in policy in effect on the date of the enactment of this Act.

(j) INDEPENDENT COST ESTIMATE.—The Interagency Working Group, through the Administrator and the Director of the National Science Foundation, shall obtain within one year after the date of the enactment of this section an independent cost estimate for operations and maintenance of existing Federal assets of the System, and planned or anticipated acquisition, operation, and maintenance of new Federal assets for the System, including operation facilities, observation equipment, modeling and software, data management and communication, and other essential components. The independent cost estimate shall be transmitted unabridged and without revision by the Administrator to Congress.

(k) INTENT OF CONGRESS.—It is the intent of Congress that funding provided to agencies of the Council to implement this section shall supplement, and not replace, existing sources of funding for other programs. It is the further intent of Congress that agencies of the Council shall not enter into contracts or agreements for the development or procurement of new Federal assets for the System that are estimated to be in excess of \$250,000,000 in life-cycle costs without first providing adequate notice to Congress and opportunity for review and comment.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Rhode Island (Mr. KENNEDY) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Rhode Island.

GENERAL LEAVE

Mr. KENNEDY. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. KENNEDY. Madam Speaker, I yield myself such time as I may consume.

H.R. 2342, the National Integrated Coastal and Ocean Observation Act of 2008, was introduced by our colleague from Maine (Mr. ALLEN). This bill establishes a National Integrated Coastal Ocean Observation System to gather real-time data on the ocean environment, to refine and enhance predictive capabilities, and to provide other immediate societal benefits, such as im-

proved fisheries management and safer navigation.

Capitalizing on newer and better integrated technologies would help address huge information gaps and significantly advance our understanding of ocean processes. I would say coming from a State called The Ocean State, this is a particularly important piece of legislation, and representing a university that is a recipient of Sea Grants, we are very interested in passing this legislation.

Madam Speaker, I ask colleagues on both sides of the aisle to support passage of this noncontroversial bill.

Madam Speaker, on behalf of the Committee, I submit the following exchange of letters.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,

Washington, DC, March 27, 2008.

Hon. NICK J. RAHALL II,

Chairman, Committee on Natural Resources, House of Representatives, Washington, DC.

DEAR CHAIRMAN RAHALL: I write to you regarding H.R. 2342, the "National Integrated Coastal and Ocean Observation Act." This legislation was initially referred to both the Committee on Natural Resources and the Committee on Science and Technology.

H.R. 2342 was marked up by the Committee on Natural Resources on March 12, 2008. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner, and, accordingly, I will waive further consideration of this bill in Committee. However, agreeing to waive consideration of this bill should not be construed as the Committee on Science and Technology waiving its jurisdiction over H.R. 2342.

Further, I request your support for the appointment of Science and Technology Committee conferees during any House-Senate conference convened on this legislation. I also ask that a copy of this letter and your response be placed in the Congressional Record during consideration of this bill.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BART GORDON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON NATURAL RESOURCES,
Washington, DC, March 27, 2008.

Hon. BART GORDON,

Chairman, Committee on Science and Technology, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your willingness to allow floor consideration of H.R. 2342, the National Integrated Coastal and Ocean Observation Act, to proceed.

I appreciate your willingness to waive your Committee's right to further consideration of H.R. 2342, even though your Committee shares jurisdiction over the bill and has received an additional referral. Of course, this waiver does not prejudice any further jurisdictional claims by your Committee over this legislation or similar language. Furthermore, I agree to support your request for appointment of conferees from the Committee on Science and Technology if a conference is held on this matter.

As is customary, I will insert our two letters in the Congressional Record as part of the consideration of H.R. 2342 on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With warm regards, I am

Sincerely,

NICK J. RAHALL II,

Chairman, Committee on Natural Resources.

Madam Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, there are currently many Federal and State agencies, universities and private entities collecting ocean and coastal observation data. H.R. 2342 will coordinate these efforts and create a national integrated coastal and ocean observing system. The national system will provide many benefits to the Nation by support weather, marine forecasts, marine transportation, public safety, scientific research, and public outreach and education activities.

Madam Speaker, I reserve the balance of my time.

Mr. KENNEDY. I would just say once again, Madam Speaker, we are in the process as a Nation of taking an assessment of our coastal zones, and in particular in light of our energy needs, for our wind needs, for the possibility of harnessing the oceans for purposes of energy in our oceans, and, of course, tabulating the effects of global warming. All of these things use data, and those data points can certainly be drawn from the passage of legislation like this that will integrate all of those data points through a coastal and ocean observatory system.

I think we owe a great debt of gratitude to the author of this legislation, Representative ALLEN, for the work that he put into authoring it.

At this time, I would like yield such time as he may consume to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. I thank the gentleman for yielding.

Madam Speaker, I rise to express my support for H.R. 2342, the National Integrated Coastal and Ocean Observation Act. I commend Chairman RAHALL and Chairwoman BORDALLO of the Natural Resources Committee for their leadership and foresight in supporting this legislation to give us the tools we need to manage and protect our marine resources and coastal communities. I also want to thank Mr. BROWN and Mr. YOUNG for their work on this bill.

My legislation establishes a nationwide integrated ocean and coastal observing system, based on the internationally acclaimed Gulf of Maine Ocean Observing System, GoMOOS. That is the acronym, GoMOOS. GoMOOS was developed by Maine oceanographers, and has improved safety for fishermen and boaters, increased understanding of ocean weather and helped forecast the effects of global climate change.

My legislation builds on the success of regional programs like GoMOOS and will greatly enhance our knowledge about our oceans and their resources and vastly improve our ability to manage them properly.

The U.S. Commission on Ocean Policy, Pew Oceans Commission, and the Joint Ocean Commission Initiative have all established creation of a comprehensive ocean observing system as a top priority. In fact, Admiral James Watkins, Chair of the U.S. Commission on Ocean Policy and Cochair of the Joint Oceans Commission Initiative, has testified that an oceans observing system, and I quote, "is probably the most important single program. I think if it were to be implemented properly and funded to the extent we have recommended in our report, it will be one of the most important things we can do for future decision making."

Implementation of the Integrated Ocean Observing System will have a myriad of positive impacts. Implementation will, one, improve predictions of climate change and weather and their effects on coastal communities, including impacts on water and energy management; two, improve the safety and efficiency of marine operations; three, improve national and homeland security, particularly within ports and the Nation's heavily populated coastal regions; and, fourth, enable the sustained use of ocean and coastal resources and better manage fisheries.

In addition to monitoring and forecasting climate change, the Ocean Observing System would protect coastal communities and economic interests of oceangoing industries like shipping and commercial fishing by improving warnings of tsunamis, hurricanes, coastal storms and other natural hazards.

The Integrated Ocean Observing System is not just another combination of data satellites and buoys. It has real-time and real life practical applications. In the past, regional ocean systems have provided early warnings of harmful algal blooms that can severely impact the shellfish industry. Scientists use the regional system to target testing areas, and managers use it to issue timely and necessary warnings to protect public health. The Coast Guard is another frequent user. They look to the system for critical information to aid in search and rescue operations.

Fishermen have used Maine's Ocean Observing System for years for real time information on sea conditions and weather. More observations provide more data and allow fishermen to make informed and safe decisions. I would just say in that context that I have had fishermen in Maine tell me that whereas they used to be gambling on what the weather might be 7 to 10 miles offshore, now they can look at their computer, they can get real-time data from a buoy 7 miles offshore and know whether or not it is safe to go out that distance.

Many elements of a national ocean observing system are already in place, but currently they operate independently. Legislation is needed to formally define the fiduciary, legal and oversight structure to enable the inte-

gration of the disparate components of the ocean, coastal and Great Lakes observing activities. Legislation authorizing an integrated system will ensure the coordination and integration among all the elements of a national system, both Federal and regional, and would provide legal authority for sharing funds across Federal agencies for implementing IOOS.

A national Integrated Ocean Observing system would enable managers at all levels, local, regional and National, to make informed and timely decisions to manage our ocean resources and protect our coastal communities.

To summarize, what we are talking about is being able to get information about our oceans in the same way and on the same scale that today we get information about the atmosphere, and because of the interconnection of what is happening in the atmosphere and what is happening in the oceans, this will dramatically increase and expand our understanding of both the atmosphere and the oceans. It is an important piece of legislation.

I urge my colleagues to support this measure.

Mr. BISHOP of Utah. Madam Speaker, I yield back the balance of my time.

Mr. KENNEDY. Madam Speaker, with no other speakers, I would just once again conclude that Rhode Island looks forward to hosting this ocean observatory system that the Representative from Maine has proposed, if not objected to by the gentleman from Hawaii, another sea-going State.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. KENNEDY) that the House suspend the rules and pass the bill, H.R. 2342, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1430

CAPTIVE WILDLIFE SAFETY TECHNICAL AMENDMENTS ACT OF 2008

Mr. ABERCROMBIE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4933) to amend the Lacey Act Amendments of 1981 to protect captive wildlife and to make technical corrections, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4933

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Captive Wildlife Safety Technical Amendments Act of 2008".

SEC. 2. CAPTIVE WILDLIFE SAFETY AMENDMENTS.

(a) PROHIBITED ACTS.—Section 3 of the Lacey Act Amendments of 1981 (16 U.S.C. 3372) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A), by inserting "or" after the semicolon;

(B) in subparagraph (B), by striking "; or" and inserting a semicolon; and

(C) by striking subparagraph (C); and

(2) in subsection (e)—

(A) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (5), and (6) respectively; and

(B) by striking "(e)" and all that follows through "Subsection (a)(2)(C)" in paragraph (1) and inserting the following:

"(e) CAPTIVE WILDLIFE OFFENSES.—

"(1) IN GENERAL.—It is unlawful for any person—

"(A) to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any live animal of any prohibited wildlife species; or

"(B) to attempt to commit any act described in subparagraph (A).

"(2) NONAPPLICABILITY.—This subsection";

(C) in paragraph (2) (as redesignated by subparagraph (A))—

(i) by striking "a" before "prohibited" and inserting "any";

(ii) by striking "(3)" and inserting "(4)"; and

(iii) by striking "(2)" and inserting "(3)";

(D) in paragraph (3) (as redesignated by subparagraph (A))—

(i) in subparagraph (C)—

(I) in clauses (ii) and (iii), by striking "animals listed in section 2(g)" each place it appears and inserting "prohibited wildlife species"; and

(II) in clause (iv), by striking "animals" and inserting "prohibited wildlife species"; and

(ii) in subparagraph (D)—

(I) by striking "the animal" the first place it appears and inserting "an animal of any prohibited wildlife species"; and

(II) by striking "the animal" the second place it appears and inserting "that animal";

(E) in paragraph (4) (as redesignated by subparagraph (A)), by striking "(2)" and inserting "(3)";

(F) in paragraph (6) (as redesignated by subparagraph (A))—

(i) by striking "subsection (a)(2)(C)" and inserting "this subsection"; and

(ii) by striking "fiscal years 2004 through 2008" and inserting "fiscal years 2009 through 2013"; and

(G) by inserting after paragraph (6) (as redesignated by subparagraph (A)) the following:

"(7) APPLICATION.—This subsection shall apply beginning on the effective date of regulations promulgated under this subsection."

(b) CIVIL PENALTIES.—Section 4(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(a)) is amended—

(1) in paragraph (1), by striking "subsections (b) and (d)" and inserting "subsections (b), (d), and (e)"; and

(2) in paragraph (1), by striking "section 3(d)" and inserting "subsection (d) or (e) of section 3";

(c) CRIMINAL PENALTIES.—Section 4(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is amended—

(1) in paragraphs (1)(A) and (1)(B) and in the first sentence of paragraph (2), by striking "subsections (b) and (d)" each place it appears and inserting "subsections (b), (d), and (e)"; and

(2) in paragraph (3), by striking "section 3(d)" and inserting "subsection (d) or (e) of section 3";

(d) CORRECTION OF PRIOR AMENDMENT.—

(1) CORRECTION.—Section 102(c) of Public Law 100-653 (102 Stat. 3826) is amended by striking "section 3(b)" and inserting "subsection 3(b)".